

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

MANDRIEZ SPIVEY,

Petitioner,

v.

JACKSON HIGH MAX PSYCHOLOGIST,

Respondent.

CIVIL ACTION NO.

5:20-cv-00200-TES

ORDER

On June 3, 2020, the Court dismissed Spivey's Petition for Writ of Habeas Corpus as frivolous after granting him *in forma pauperis* status. [Doc. 4, p. 5]. Section 2254 Rule 11(a) provides that "[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant." Rule 11(a), Rules Governing Section 2254 Cases. A certificate of appealability may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2).

In this case, issuance of a certificate of appealability is not warranted because, for the reasons noted in the Order dismissing Petitioner's habeas action, it is not debatable among jurists of reason whether the Court abused its discretion in dismissing Petitioner's action. *See* [Doc. 4]; *Slack v. McDaniel*, 529 U.S. 473, 483–84 (2000).

Accordingly, the Court **DENIES** Petitioner a certificate of appealability.

SO ORDERED, this 27th day of August, 2020.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE
UNITED STATES DISTRICT COURT